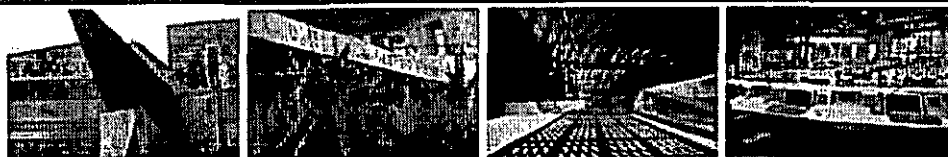


# A U S T I N C I T Y C O U N C I L

## AGENDA



Thursday, August 24, 2006

+ Back Print

### Item(s) to Set Public Hearing(s) RECOMMENDATION FOR COUNCIL ACTION

ITEM No. 64

**Subject:** Set a public hearing to approve the use of an approximately 0.212 acre (9,221 square foot) waterline and a 0.092 acre (4,012 square foot) temporary work space use agreement through dedicated parkland known as Little Walnut Creek Greenway and Destination Parkland, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: September 28, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street).

**Amount and Source of Funding:** All costs associated with construction, as well as any parkland restoration, will be paid by requester.

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

#### Additional Backup Material

(click to open)

- ☐ MAP
- ☐ EXHIBIT

**For More Information:** Junie Plummer, 974-7085; Laura Bohl, 974-7064.

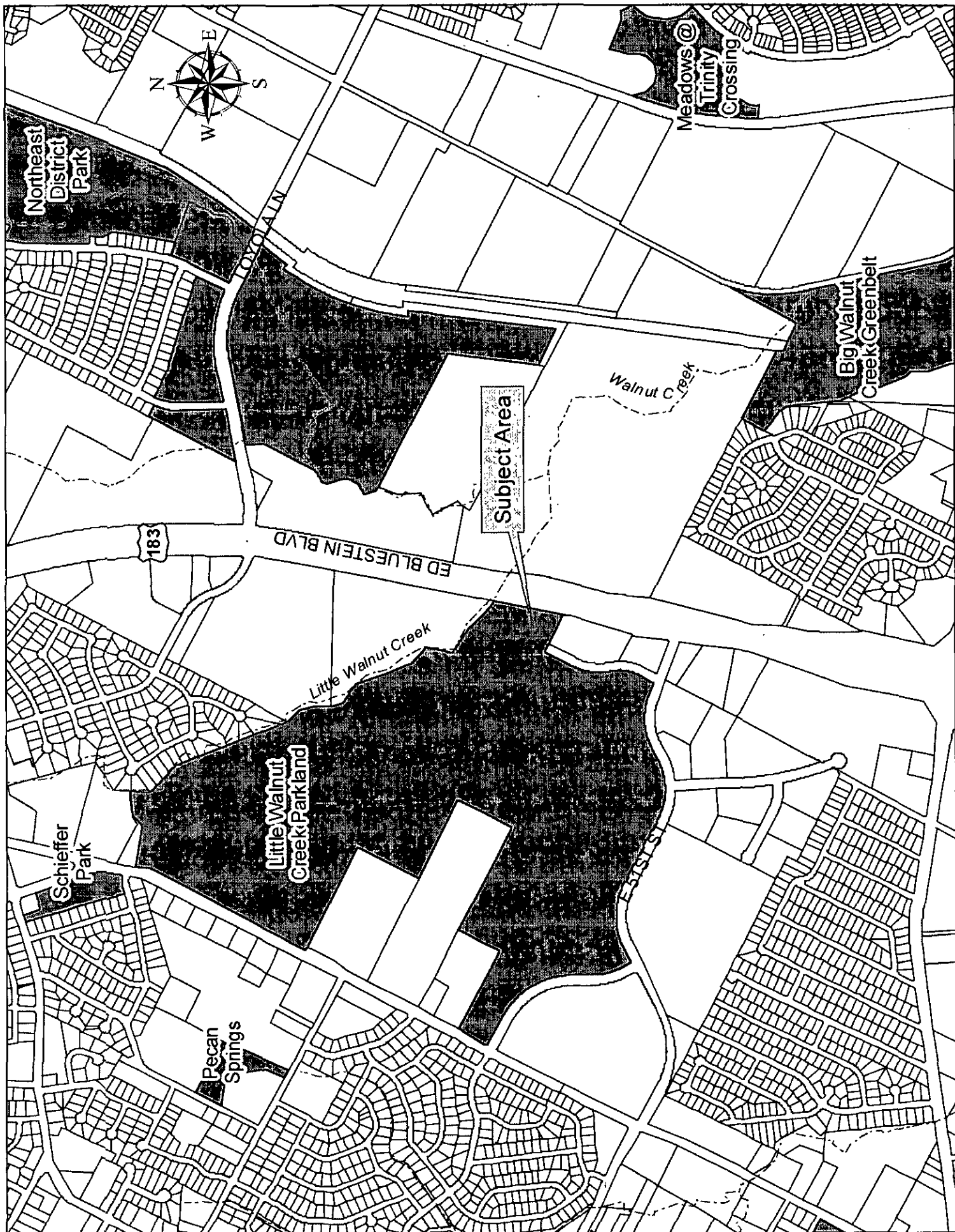
**Boards and Commission Action:** To be reviewed by Parks Board on August 22, 2006.

Chapter 26 of the Parks and Wildlife Code provides that the use of parkland for non-park purposes may be approved upon a finding that there is no feasible and prudent alternative to the use of this land.

The Public Works Department, on behalf of the Austin Water Utility, hereby requests the dedication of a waterline and temporary use of parkland for the construction, operation and maintenance of a proposed 24-inch waterline as part of a relocation project within the Texas Department of Transportation's US Route 183 Roadway Widening and Reconstruction Project, CIP No. 3960-227-7325.

Approval of the use of parkland is made on the condition that all restoration is completed in accordance with the Standard Specifications and Construction Standards of the City of Austin and the Parks and Recreation Department's "Construction in Parks Specifications". The Austin Water Utility is required to pay all costs associated with the restoration and tree mitigation to be included as part of the site restoration process.

There is no feasible and prudent alternative to the use of the dedicated parkland, which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman are September 3, September 10, and September 17, 2006.



**EXHIBIT "A"**

FN3665

SAM, Inc. Job No. 25028-06

April 27, 2005

City of Austin  
(Waterline Easement)  
City of Austin

DESCRIPTION OF A 0.212 ACRE (9,221 SQ. FT.) TRACT OF LAND LOCATED IN THE J.C. TANNEHILL LEAGUE, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 197.59 ACRE TRACT AS DESCRIBED IN A DEED TO THE CITY OF AUSTIN AND RECORDED IN DOC. NO. 2002178092 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.Tx.), SAID 0.212 ACRE (9,221 SQ. FT.) TO BE USED AS A WATERLINE EASEMENT AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2-inch iron rod with a SAM Inc. plastic cap set in the east line of said 197.59 acre tract same being the existing west right-of-way line of U.S. Highway 183, said point being the most northerly northeast corner of the tract described herein and the **POINT OF BEGINNING**, said point having Texas Coordinate System, Central Zone, NAD 83, (Combined Scale Factor 1.00011) grid coordinates of N=10081439.78, E=3139174.26, from which point a Texas Department of Transportation (TxDOT) Type I monument found in the existing west right-of-way line of U.S. Highway 183 bears, N 11°34'35" E, a distance of 1,180.34 feet;

1) **THENCE** with the east line of said 197.59 acre tract, S 11°34'35" W, with the existing west right-of-way line of U.S. Highway 183, a distance of 19.38 feet to a TxDOT Type I monument found for an angle point, from which a 1/2-inch iron rod found for the most easterly southeast corner of said 197.59 acre tract and the northeast corner of a called 4.60 acre tract, Lot 1, Oriens Park Section Eight, recorded in Book 86, Page 193A-B of the Plat Records of Travis County, Texas (P.R.T.C.Tx.), and being described in a deed to Solo Star Realty, Inc., Tract VII, and recorded in Volume 12046, Page 1500, of the Real Property Records of Travis County, Texas (R.P.R.T.C.Tx.), bears S 02°04'17" W, a distance of 244.29 feet;

**THENCE** through the interior of said 197.59 acre tract, the following four (4) courses and distances numbered 2-5:

2) S 12°33'00" W, with the proposed west right-of-way line of U.S. Highway 183, a distance of 1.30 feet to a 1/2-inch iron rod with a SAM Inc. plastic cap set, said point being the most southerly northeast corner of the tract described herein, from which a 1/2-inch iron rod with a TxDOT aluminum cap found in the south line of said 197.59 acre tract and the north line of said 4.60 acre tract bears, S 12°33'00" W, a distance of 227.37 feet;

3) N 63°41'00" W, a distance of 178.48 feet to a 1/2-inch iron rod with a SAM Inc. plastic cap set,

4) S 72°03'38" W, a distance of 39.91 feet to a 1/2-inch iron rod with a SAM Inc. plastic cap set, and

5) S 27°03'07" W, a distance of 189.70 feet to a 1/2-inch iron rod with a SAM Inc. plastic cap set in the south line of said 197.59 acre tract and the north line of Rangoon Road, an 80 foot right-of-way width, as described in Oriens Park Section Seven and recorded in Volume 86, Page 192B-D, P.R.T.C.Tx., said point being the southeast corner of the tract described herein, from which a 1/2-inch iron rod found at an angle point in the south line of said 197.59 acre tract and the common north corner of said 4.60 acre tract and the northeasterly terminus of said Rangoon Road bears, S 62°56'53" E, a distance of 33.10 feet;

EXHIBIT "A"  
FN3665  
SAM, Inc. Job No. 25028-06  
April 27, 2005

City of Austin  
(Waterline Easement)  
City of Austin

6) **THENCE** N 62°56'53" W, with the south line of said 197.59 acre tract and the north line of said Rangoon Road, a distance of 20.00 feet to a ½-inch iron rod with a SAM Inc. plastic cap set, being the southeast corner of a called 15 foot Sanitary Sewer Easement granted to the City of Austin and recorded in Volume 10728, Page 910, R.P.R.T.C.Tx., said point being the southwest corner of the tract described herein, from which a ½-inch iron rod found for an interior ell corner of said 197.59 acre tract and the northwesterly terminus of said Rangoon Road bears, N 62°56'53" W, a distance of 42.50 feet;

**THENCE** through the interior of said 197.59 acre tract, the following two (2) courses and distances numbered 7-8:

7) N 27°03'07" E, with the east line of said 15 foot Sanitary Sewer Easement, a distance of 237.30 feet to a ½-inch iron rod with a SAM Inc. plastic cap set in the southerly line of a 15 foot Sanitary Sewer Easement granted to the City of Austin and recorded in Volume 3224, Page 963 of the Deed Records of Travis County, Texas (D.R.T.C.Tx.), and

8) S 63°41'00" E, with the southerly line of said 15 foot Sanitary Sewer Easement, a distance of 221.22 feet to the **POINT OF BEGINNING** and containing 0.212 acre (9,221 sq. ft.) of land more or less.

All bearings are based on the Texas Coordinate System, Central Zone, NAD 83(93).

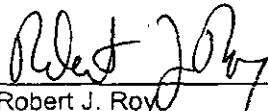
This description is accompanied by a separate plat; see "Sketch to Accompany Field Note No. 3665", Waterline Easement, attached hereto and made a part hereof.

THE STATE OF TEXAS }  
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS:

That I, Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

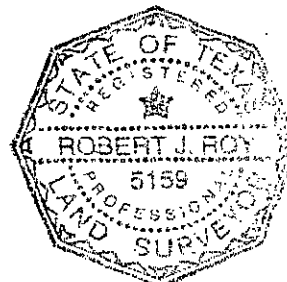
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 27<sup>th</sup> day of April, 2005 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290, Building B  
Austin, Texas 78735

  
Robert J. Roy  
Registered Professional Land Surveyor  
No. 5159 - State of Texas

Reference:  
TCAD #: 02-1824-0101  
AUSTIN GRID: MN-24

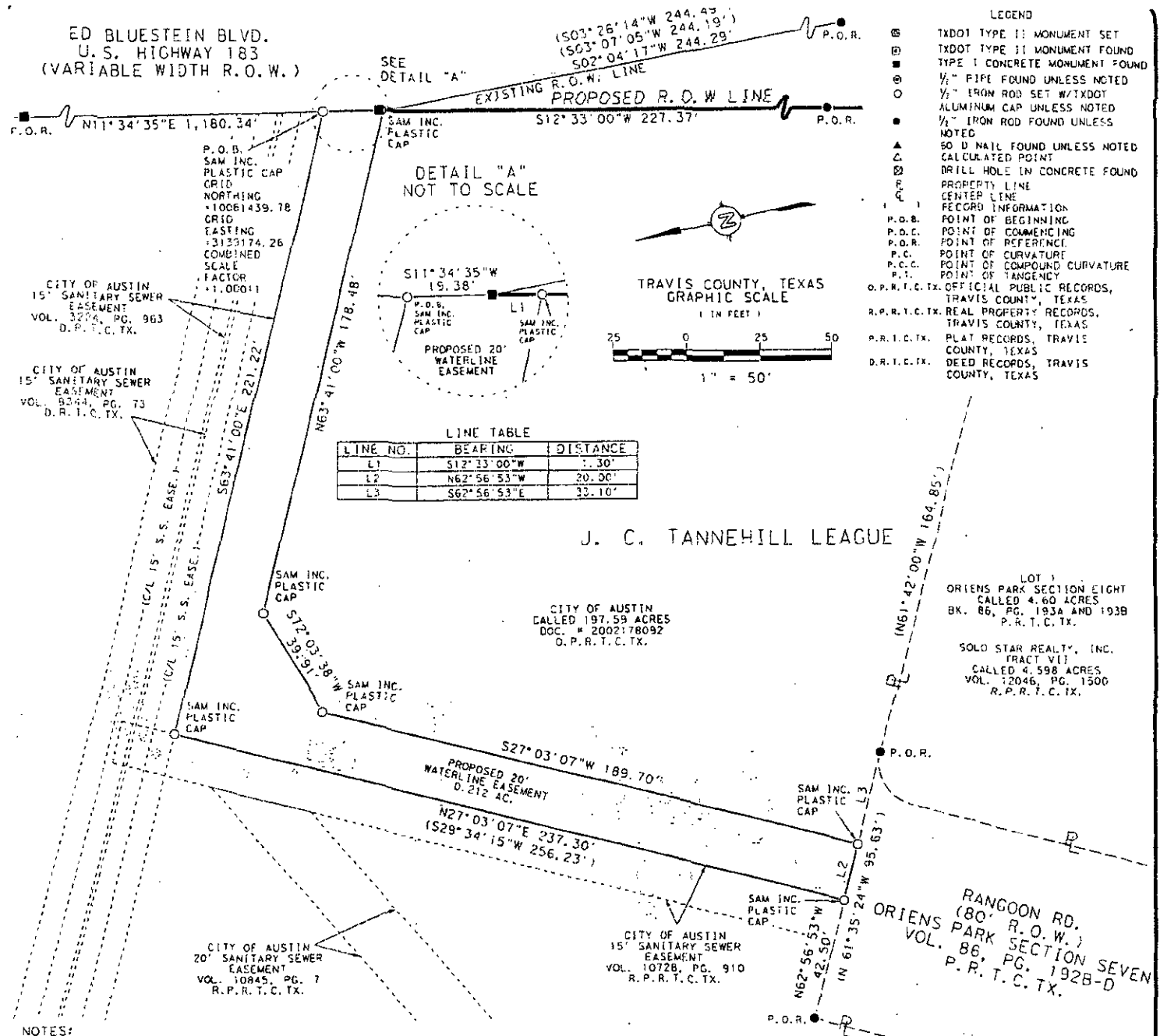
FIELD NOTES REVIEWED  
By JOHN MOORE Date 4-29-2005  
Engineering Support Section  
Department of Public Works 2  
and Transportation



FN 3665(trt)

25028-06

ED BLUESTEIN BLVD.  
U.S. HIGHWAY 183  
(VARIABLE WIDTH R.O.W.)

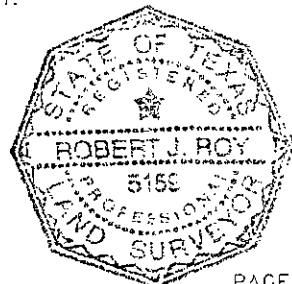


- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
- ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93) HARN, ALL DISTANCES AND COORDINATES ARE ADJUSTED TO SURFACE USING THE PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00011.
- IMPROVEMENTS SHOWN HEREON ARE BASED UPON A SAM INC. DESIGN SURVEY OF THIS PROPERTY.
- THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT J. ROY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5159, STATE OF TEXAS

APRIL 27, 2005  
DATE



PAGE 3 OF 3  
REF. FIELD NOTE NO. 3665



5508 West Hwy 290  
Building B  
Austin, Texas 78735  
(512) 447-0575  
FAX: (512) 326-3029

SKETCH TO ACCOMPANY  
FIELD NOTE NO. 3665  
WATERLINE EASEMENT  
0.212 ACRE (9221 S.F.)

**EXHIBIT "B"**

FN4069

SAM, Inc. Job No. 25028-06

May 2, 2006

City of Austin  
(Temporary Workspace Easement)  
City of Austin

DESCRIPTION OF A 0.092 ACRE (4,012 SQ. FT.) TRACT OF LAND LOCATED IN THE J.C. TANNEHILL LEAGUE, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 197.59 ACRE TRACT AS DESCRIBED IN A DEED TO THE CITY OF AUSTIN AND RECORDED IN DOC. NO. 2002178092 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.Tx.), SAID 0.092 ACRE (4,012 SQ. FT.) TO BE USED AS A TEMPORARY WORKSPACE EASEMENT AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½-inch iron rod with a SAM Inc. plastic cap found in the interior of said 197.59 acre tract same being in the proposed west right-of-way line of U.S. Highway 183 and the southeast corner of a called proposed 20 foot waterline easement, said point being the most northerly northeast corner of the tract described herein and the **POINT OF BEGINNING**, said point having Texas Coordinate System, Central Zone, NAD 83(93), (Combined Scale Factor 1.00011) grid coordinates of N=10081419.53, E=3139170.09, from which point a Texas Department of Transportation (TxDOT) Type I monument found in the existing west right-of-way line of U.S. Highway 183 and the east line of said 197.59 acre tract bears, N 12°33'00" E, a distance of 1.30 feet, also from said TxDOT Type I monument found another TxDOT Type I monument found in the existing west right-of-way line of U.S. Highway 183 and the east line of said 197.59 acre tract bears S 02°04'17" W, a distance of 303.60 feet;

**THENCE** through the interior of said 197.59 acre tract, the following four (4) courses and distances numbered 1-4:

1) S 12°33'00" W, with the proposed west right-of-way line of U.S. Highway 183, a distance of 10.30 feet to a calculated point, said point being the most southerly northeast corner of the tract described herein, from which a ½-inch iron rod with a TxDOT aluminum cap found at the intersection of the proposed west right-of-way line of U.S. Highway 183, with the south line of said 197.59 acre tract and the north line of a called 4.60 acre tract, Lot 1, Oriens Park Section Eight, recorded in Book 86, Page 193A-B of the Plat Records of Travis County, Texas (P.R.T.C.Tx.), and being described in a deed to Solo Star Realty, Inc., Tract VII, and recorded in Volume 12046, Page 1500 of the Real Property Records of Travis County, Texas (R.P.R.T.C.Tx), bears S 12°33'00" W, a distance of 217.07 feet;

2) N 63°41'00" W, a distance of 176.87 feet to a calculated point for an angle point,

3) S 72°03'38" W, a distance of 31.69 feet to a calculated point for an angle point, and

4) S 27°03'07" W, a distance of 185.56 feet to a calculated point in the south line of said 197.59 acre tract and the north line of Rangoon Road, an 80 foot right-of-way width, as described in Oriens Park Section Seven and recorded in Volume 86, Page 192B-D, P.R.T.C.Tx., said point being the southeast corner of the tract described herein, from which a ½-inch iron rod found at an angle point in the south line of said 197.59 acre tract and the northwest corner of said 4.60 acre tract and the northeasterly terminus of said Rangoon Road bears, S 62°56'53" E, a distance of 23.09 feet;

EXHIBIT "A"  
FN4069  
SAM, Inc. Job No. 25028-06  
May 2, 2006

City of Austin  
(Temporary Workspace Easement)  
City of Austin

5) **THENCE** N 62°56'53" W, with the south line of said 197.59 acre tract and the north line of said Rangoon Road, a distance of 10.00 feet to a ½-inch iron rod with a SAM Inc. plastic cap found, being the southeast corner of said 20 foot proposed waterline easement, and being the southwest corner of the tract described herein, from which a ½-inch iron rod found with a SAM Inc plastic cap bears, N 62°56'53" W, a distance of 20.00 feet, and from which a ½-inch iron rod found at the northwest terminus of Rangoon Road bears, N 62°56'53" W, a distance of 62.50 feet;

**THENCE** through the interior of said 197.59 acre tract, and along the common line with said 20 foot proposed waterline easement the following three (3) courses and distances numbered 6-8:

6) N 27°03'07" E, a distance of 189.70 feet to a ½-inch iron rod found with a SAM Inc. plastic cap for an angle point,

7) N 72°03'38" E, a distance of 39.91 feet to a ½-inch iron rod found with a SAM Inc. plastic cap for an angle point, and

8) S 63°41'00" E, a distance of 178.48 feet to the **POINT OF BEGINNING** and containing 0.092 acre (4,012 sq. ft.) of land more or less

All bearings are based on the Texas Coordinate System, Central Zone, NAD 83(93).


This description is accompanied by a separate plat; see "Sketch to Accompany Field Note No. 4069", Temporary Workspace Easement, attached hereto and made a part hereof.

THE STATE OF TEXAS }  
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS:

That I, Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 2<sup>nd</sup> day of May, 2006 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290, Building B  
Austin, Texas 78735

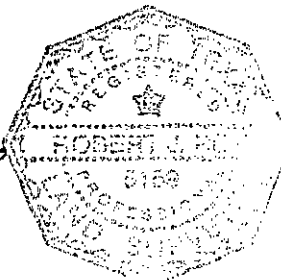
  
Robert J. Roy  
Registered Professional Land Surveyor  
No. 5159 - State of Texas

Reference:  
TCAD #: 02-1824-0101  
AUSTIN GRID: MN-24

FIELD NOTES REVIEWED  
By JOHN MOORE Date 5-16-2006  
Engineering Support Section  
Department of Public Works  
and Transportation

FN 4069(ge)

2 of 3



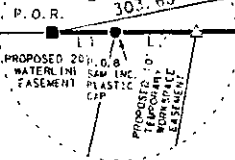
25028-06

ED BLUESTEIN BLVD.  
U.S. HIGHWAY 183  
(VARIABLE WIDTH R.O.W.)

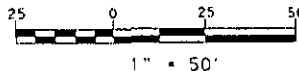
SEE  
DETAIL "A"

P.O.R.

DETAIL "A"  
NOT TO SCALE



TRAVIS COUNTY, TEXAS  
GRAPHIC SCALE



- LEGEND
- TXD01 TYPE II MONUMENT SET
  - TXD02 TYPE II MONUMENT FOUND
  - TYPE I CONCRETE MONUMENT FOUND
  - 1/2" PIPE FOUND UNLESS NOTED
  - 1/2" IRON ROD SET W/SAM
  - CAP UNLESS NOTED
  - 1/2" IRON ROD FOUND UNLESS NOTED
  - 60 D NAIL FOUND UNLESS NOTED
  - CALCULATED POINT
  - DRILL HOLE IN CONCRETE FOUND
  - PROPERTY LINE
  - CENTER LINE
  - RECORD INFORMATION
  - P.O.B. POINT OF BEGINNING
  - P.O.C. POINT OF COMMENCEMENT
  - P.O.R. POINT OF REFERENCE
  - P.C. POINT OF CURVATURE
  - P.C.C. POINT OF COMPOUND CURVATURE
  - P.T. POINT OF TANGENCY
  - O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
  - R.P.R.T.C.T. REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
  - P.R.T.C.T. PLAT RECORDS, TRAVIS COUNTY, TEXAS
  - D.R.T.C.T. DEED RECORDS, TRAVIS COUNTY, TEXAS

CITY OF AUSTIN  
15' SANITARY SEWER  
EASEMENT  
VOL. 3224, PG. 963  
D.P.R.T.C.T.

CITY OF AUSTIN  
15' SANITARY SEWER  
EASEMENT  
VOL. 3344, PG. 77  
D.P.R.T.C.T.

PROPOSED 10'  
TEMPORARY  
WORKSPACE  
EASEMENT  
0.092 AC.

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N12°33'00"E	1.30'
L2	S12°33'00"W	10.30'
L3	S62°56'53"E	23.09'
L4	N62°56'53"W	10.00'
L5	N62°56'53"W	20.00'

PROPOSED 10'  
TEMPORARY  
WORKSPACE  
EASEMENT  
0.092 AC.

CITY OF AUSTIN  
CALLED 187.59 ACRES  
DOC. # 2002178092  
D.P.R.T.C.T.

LOT 1  
(ORFENS PARK SECTION EIGHT)  
CALLED 4.60 ACRES  
BK. 86, PG. 193A AND 193B  
P.R.T.C.T.

SOLD STAR REALTY, INC.  
TRACT VII  
CALLED 4.598 ACRES  
VOL. 12046, PG. 1500  
R.P.R.T.C.T.

RANGOON RD.  
(80' R.O.W.)  
ORFENS PARK  
SECTION SEVEN  
VOL. 86, PG. 192B-D  
P.R.T.C.T.

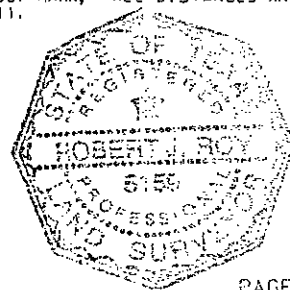
NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
- ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93) HARN. ALL DISTANCES AND COORDINATES ARE ADJUSTED TO SURFACE USING THE PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00011.
- IMPROVEMENTS SHOWN HEREON ARE BASED UPON A SAM INC. DESIGN SURVEY OF THIS PROPERTY.
- THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT J. ROY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5159, STATE OF TEXAS

MAY 2, 2006  
DATE



SKETCH TO ACCOMPANY  
FIELD NOTE NO. 4069  
TEMPORARY WORKSPACE EASEMENT  
0.092 ACRE (4,012 SQ. FT.)



5508 West Hwy 290  
Building B  
Austin, Texas 78735  
(512) 447-0575  
Fax: (512) 326-3029

PAGE 3 OF 3  
REF. FIELD NOTE NO. 4069  
X:\COA2003-2005\25182\dgn\Skyetch\mangoonp1temp.dgn